

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROY L. NOREY,

Defendant.

Case No. 19-3022-01-CR-S-RK

PRELIMINARY ORDER

Before the Court are Defendant's Motion in Limine (Doc. 83) and Defendant's Objection (Doc. 84) to the Government's Notice of Intention to Rely on Other Acts of a Similar Nature (Doc. 75).

Defendant's motion to prohibit the introduction of Government Exhibits 10-18 (Doc. 78) relating to allegations that Defendant was involved in distributing illegal drugs, or that he was in possession of alleged illegal drug paraphernalia, located in 230 East Montclair Apartment 3B at the time the search warrant was executed on January 3, 2019 is **GRANTED**.

Defendant's motion to prohibit all testimony or reference to police responding to a report of individuals firing weapons at or near a music studio operated by Defendant located at 1042 West College Street, Springfield, MO on December 23, 2018 is **GRANTED**.

Defendant's motion to prohibit any testimony of officers reporting a "strong smell of marijuana" and a report locating a small baggie of marijuana on Defendant during a January 2, 2019 car stop is **GRANTED**. Defendant's motion to prohibit any testimony or reference to the car stop by defendant by police on January 2, 2019 is **DENIED** wherein the Government may introduce it as evidence of observing Defendant coming and going from the 230 East Montclair

Apartment 3B.

Defendant's objection to the Government's intent to rely on acts of a similar nature is **GRANTED IN PART** and **DENIED IN PART** in part. With respect to the Facebook Live video, the Government is prohibited from introducing the video, but may introduce screenshots from the video that allegedly depict Defendant possessing firearms. Any screenshot that contains any images of drug use or drug paraphernalia is prohibited.

With respect to Defendant's 2009 conviction for possession of a defaced firearm, the Defendant's objection is overruled.

The evidence prohibited by this Order shall not be subject for use by any party any statement, testimony, cross-examination, or otherwise without first approaching the bench.

IT IS SO ORDERED.

DATED: October 22, 2020

/s/ Douglas Harpool

DOUGLAS HARPOOL

UNITED STATES DISTRICT JUDGE